

ON JUNE 19, 2015, R277-497 WAS APPROVED BY THE UTAH STATE BOARD OF EDUCATION (USBE) ON SECOND READING. THE RULE IS SCHEDULED FOR THIRD AND FINAL READING BY THE USBE AT ITS AUGUST 7, 2015 MEETING.

R277. Education, Administration.

R277-497. School Grading System.

R277-497-[2]1. Authority and Purpose.

~~[A.]~~ (1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board~~[7]~~;

(b) Section 53A-1-1113, which directs the Board to adopt rules to implement a school grading system~~[7, and]~~;

(c) Section 53A-1-1104, which authorizes the Board to make a rule to establish an accountability plan for an alternative school or special needs school that the Board has exempt from school grading; and

(d) Subsection 53A-1-401(3), which allows the Board to adopt rules in accordance with its responsibilities.

~~[B.]~~ (2) The purpose of this rule is to provide consistent definitions, standards, and procedures for LEAs to report school data through a school grading system.

R277-497-[1]2. Definitions.

~~[A. "Board" means the Utah State Board of Education.]~~

~~[B. "LEA" means a local education agency, including local school boards/public school districts, charter schools, and, for purposes of this rule, the Utah Schools for the Deaf and the Blind.]~~

(1) "Alternative school" means the same as that term is defined in Section 53A-1-1102.

(2) "Special needs school" means a school that only enrolls a student that:

(a) has at least one of the following disabilities:

(i) an intellectual disability;

(ii) a hearing impairment or deafness;

(iii) a speech or language impairment;

(iv) a visual impairment, including blindness;

(v) deafblindness;

(vi) an emotional disturbance;

(vii) an orthopedic impairment;

(viii) autism;

(ix) developmental delay;

(x) traumatic brain injury;

(xi) other health impairment;

(xii) multiple disabilities; or

(xiii) specific learning disabilities; and

(b) has been determined to need placement in a special school by an IEP team.

~~[C.]~~ (3) "Sufficient student growth" ~~[as determined by the Board,]~~ means a student growth percentile of 40 or above.

R277-497-3. Board Responsibilities.

~~[A. Beginning in the 2012-2013 school year, the Board shall~~

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~~implement a school grading system (A,B,C,D,F). The school grading system report provided by the Board shall include the following indicators:~~

~~(1) student proficiency on the Board approved grade/subject level assessments in language arts, math and science;~~

~~(2) student growth as measured by student growth percentiles;~~

~~(3) sufficient student growth; and~~

~~(4) for high schools:~~

~~(a) graduation rates; and~~

~~(b) beginning in the 2013-14 school year, ACT scores.~~

~~B. School letter grades shall be determined as follows:~~

~~(1) 80 -- 100 percent A;~~

~~(2) 70 -- 79 percent B;~~

~~(3) 60 -- 69 percent C;~~

~~(4) 50 -- 59 percent D; and~~

~~(5) below 50 percent F.~~

~~C. Beginning with the 2012-2013 school year data, the Board shall:~~

~~(1) implement a school grading system that makes data and reports available to parents, educators and the public. The report shall include the elements described in R277-497-3A.~~

~~(2) School data and reports shall be available to parents, educators and the public through a public website that facilitates the comparison of public schools based on the school grading system and demographics.~~

~~D. The Board implemented school grading system shall include test scores for students with disabilities consistent with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1401(3).~~

~~E. For the 2013-2014 school year only, the Board shall adjust school grades to compensate for the new computer adaptive assessment results by adjusting the percentage of total points required for each letter grade so that the distribution of percentage of schools receiving each letter grade will be similar to the distribution of grades for the 2012-2013 school year. The percentages are as follows:~~

~~(1) Elementary/middle schools:~~

~~(a) 64 -- 100 percent A;~~

~~(b) 51 -- 63 percent B;~~

~~(c) 39 -- 50 percent C;~~

~~(d) 30 -- 38 percent D; and~~

~~(e) 29 percent and below F.~~

~~(2) High schools:~~

~~(a) 64 -- 100 percent A;~~

~~(b) 51 -- 63 percent B;~~

~~(c) 43 -- 50 percent C;~~

~~(d) 40 -- 42 percent D; and~~

~~(e) 39 percent and below F.]~~

~~[F.] (1) [Beginning with the 2013-2014 school year, students] The Board may not count a student who does not participate~~

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in required testing under Section 53A-1-603 due to parent ~~[opt out]~~excuse provisions of Subsection 53A-15-1403(9) ~~[, shall not be counted]~~ and Section R277-404-6 in determining the participation rate for purposes of school grades.

~~[G.]~~(2) The Board and LEAs shall take necessary actions within their authority to satisfy Subsection 53A-15-1403(9) (b) .

R277-497-4. LEA Responsibilities.

~~[A.]~~(1) An LEA~~[s]~~ shall provide accurate and timely data as required under Rule R277-484 to allow for the development of the school reports.

~~[B.]~~(2) An LEA~~[s]~~ shall use the school reports as a communication tool to inform parents and the community about school performance.

~~[C.]~~(3) An LEA~~[s]~~ shall ensure that the school reports are available for all parents.

R277-497-5. School Responsibilities.

~~[A.]~~(1) A ~~[S]~~school~~[s]~~ shall provide data for the school report~~[s]~~ as provided in Rule R277-484.

~~[B.]~~(2) A ~~[S]~~school~~[s]~~ shall cooperate with the Board and LEAs to ensure that the school report~~[s-are]~~ is available for all parents.

R277-497-6. Exemption from School Grading.

(1)(a) As authorized by Section 53A-1-1104, an alternative school or a special needs school may submit a request for an exemption from school grading for the next three school years to the Board by July 1.

(b) The request shall demonstrate that:

(i) the school meets the definition of an alternative school or a special needs school;

(ii) the school has the approval of:

(A) the school's LEA governing board; or

(B) if the school is the Utah Schools for the Deaf and the Blind, the USDB advisory committee; and

(iii) if the school has received an exemption for a previous school year, the school has timely submitted to the Superintendent all information necessary for the Board to evaluate the school as required by Section 53A-1-1104.

(2)(a) The Board shall exempt a school from school grading if the school meets the requirements of Subsection (1).

(b) Except as provided by Subsection (2)(c), an exemption from school grading is valid for three school years.

(c) The Board may revoke an exemption if a school fails to timely submit to the Superintendent all information necessary for the Board to annually evaluate the school in accordance with the accountability plan.

R277-497-7. Accountability Plan - General Provisions.

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(1) (a) This rule incorporates by reference the Guide to Utah's Comprehensive Accountability System for Alternative Schools - June 6, 2014, which describes the accountability plan required by Section 53A-1-1104, with the exceptions for a special needs school described in Section R277-497-8.

(b) The Superintendent shall annually evaluate a school in accordance with the accountability plan by calculating a school's composite score, which has a maximum value of 1500, by summing the school's weighted indicator scores.

(2) The accountability plan consists of five indicators weighted as follows:

(a) growth, which measures student academic progress based on a school's median student growth percentile for all students and below proficient students, is 20% with a maximum score of 300;

(b) attendance, which is the higher of a school's attendance rate in the current year or improvement in cohort attendance rate from the previous year, is 25% with a maximum score of 375;

(c) credit earning, which measures the degree to which a student enrolled in the current year is successfully completing courses in which the student is enrolled or is making improvement in cohort credit earning rate from the previous year, is 25% with a maximum score of 375;

(d) attainment, which measures the extent to which a student successfully completes or make substantial progress toward completion of meaningful educational goals, is 20% with a maximum score of 300; and

(e) school climate, which measures whether a school is collecting data to evaluate school climate and using results to inform efforts to improve climate, is ten percent with a maximum score of 150.

(3) The Superintendent shall assign the scores based on the rubrics established in the guide.

R277-497-8. Accountability Plan Exceptions.

(1) At the request of a special needs school, the Superintendent may exempt a student from the attendance indicator score calculation if the student has a documented medical condition that prevents the student from attending 160 days of school.

(2) In accordance with a Section 53A-1-111, a student with a disability may take an alternative assessment to determine the student's growth instead of the Student Assessment of Growth and Excellence.

(3) If required by Section R277-410-5, a special needs school shall report on the school's progress on the school's accreditation improvement plan in the School Snapshot section of the school's report card published by the Superintendent under Subsection 53A-1-1104(5) (b) (ii).

KEY: school reports, grading system

Date of Enactment or Last Substantive Amendment: [February 9,] 2015

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Notice of Continuation: [~~November 8, 2013~~]2015

**Authorizing, and Implemented or Interpreted Law: Art X, Sec 3;
53A-1-1104; 53A-1-1113; 53A-1-401(3)**